

## REMARKS

Claims 1-61 are currently pending in this application.

### Specification Objection

The specification was objected to because it did not contain a brief description of figure 13. The specification has been amended herein regarding the figure descriptions.

### Claims Objections

Claims 6 and 41 were objected to because of typographical errors. These claims have been amended herein.

### Claim Rejections Under 35 U.S.C. §102

Claims 1-5, 7-9, 11-17, 21, 22, 25, 28-40, 43, 48-54, 56-58, and 60-61 were rejected under 35 U.S.C. §102(e) as being anticipated by Fowler (U.S. Patent No. 6,078,253).

Fowler discloses a multiple sensing technology-based occupancy sensor. However, the system includes multiple sensors which combine the outputs of an ultrasonic sensor and an infrared sensor to produce a composite occupancy estimator that is compared to a composite threshold to determine occupancy (column 19, line 20-24), and neither of the individual infrared or ultrasource sensor technologies has a separate activation threshold (column 19, lines 47-48). In contrast to Fowler, the invention as claimed herein includes an infrared sensor section able to activate upon sensing the occupancy of the area, and to maintain activation when either the infrared sensor section

or the ultrasonic sensor section senses occupancy of the area. The system of multiple sensors in Fowler, on the contrary, does not include an infrared sensor which alone activates the sensor upon sensing area occupancy, and only activates and maintains activation when both the infrared sensor and the ultrasonic sensor produce a composite signal above a threshold, not when either senses area occupancy.

#### Claim Rejections Under 35 U.S.C. §103

Claims 19 and 44 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fowler. Claims 6, 18 and 55 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fowler in view of Keeter (U.S. Patent No. 5,867,099). Claims 10, 23, 24 and 59 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fowler in view of Walden (U.S. Patent No. 3,710,098). Claims 20, 26, 27 and 45-47 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fowler in view of Boulos (U.S. Patent No. 5,442,177). Claims 41-42 were rejected under 35 U.S.C. §103(a) as being unpatentable over Pedke in view of Keeter. Since these claims depend directly or indirectly from independent claims, it is submitted that they are patentable in view of the patentability of the independent claims as set forth above.

#### Dependent Claims

In view of the patentability of the underlying independent claims over Fowler as set forth above, it is submitted that the claims depending therefrom are likewise patentable.

## CONCLUSION

It is submitted in view of the above that there is no teaching or suggestion of applicant's invention as claimed in the claims submitted herewith, within the scope of the disclosure of the cited references, without extensive modification and the exercise of inventive talent.

In light of the above amendments and remarks, applicant submits that the application is in condition for allowance, and requests that it be passed to issue. If there are any issues which can be discussed in a telephone interview, the Examiner is requested to contact applicant's attorney at (310) 242-2732.

Respectfully submitted,

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